

Serial No. 10/718,182

REMARKS

The Applicant and the undersigned thank Examiner Iraj Mohandesi for the careful review of this application. Claims 1-60 were subject to a restriction requirement imposed by the Examiner on April 20, 2005. Claims 1, 16 and 31 are the independent claims. The Applicant has elected Group I, as proposed below, with traverse.

In the Official Action, the Examiner grouped the claims as follows:

Groups	Relevant Claims
Group I	1-30
Group II	31-60

However, after review of the pending claims in the application, Applicant has noted that Claims 51-60 also depend upon Claim 1. Therefore, the Applicant respectfully believes the Claims should be grouped as follows:

Groups	Relevant Claims
Group I	1-30, 51-60
Group II	31-50

Request for Reconsideration of the Election of Restriction Requirement

In the Restriction Requirement of April 20, 2005, the Examiner states that the two inventions in the present application are distinct and have acquired a separate status in the art and therefore, they are restrictable. Applicant traverses the Restriction Requirement asserted by the Examiner in the present application.

As clearly set forth in the second paragraph of Section 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. The restriction is proper where two criteria are present:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the restriction is not required.

Serial No. 10/718,182

Applicant respectfully submits that considering all of the claims of two distinct inventions in a single application is not a serious burden on the Examiner. A review of the subject matter set forth in the claims shows that they are substantially related. Therefore, the Applicant respectfully submits that a Restriction Requirement is improper and request that the requirement be withdrawn.

But in order to be responsive to the requirement, Applicant has elected, WITH TRAVERSE, the Group I proposed by the Applicant to be examined in the present application. The Examiner is respectfully requested to reconsider his Restriction Requirement and act on all of the claims in the present application. If the Examiner does persist in his restriction requirement, Applicant reserves the right to file a petition and/or to file a divisional application directed to the Group II claims as proposed by the Applicant at a later date if they so desire.

CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action mailed on April 20, 2005. The Applicant and the undersigned thank Examiner Mohandesi for the consideration of these remarks. The Applicant has submitted remarks to traverse the restriction requirement. Examination of all the claims of record is hereby courteously solicited.

If the Examiner believes that there are any issues that can be resolved by telephone conference, or that there are any formalities that can be corrected by an Examiner's Amendment, please contact the undersigned in the Atlanta Metropolitan Area at (404) 572-4647.

Respectfully submitted,

Kerry L. Broome

Kerry L. Broome
Reg. No. 54,004

KING & SPALDING LLP
191 Peachtree Street
45th Floor
Atlanta, Georgia 30303-1763
404.572.4600
K&S Docket No. 09845.105003